

**COMBINED DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION**

Attorney Docket  
Number: 25045-17

**DECLARATION:** As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled  
**Flat Sealing Material in the Form of a Reinforced Composite Film**

the specification of which:

☐ is attached hereto OR was filed before the USPTO on \_\_\_, receiving U.S. application number \_\_\_.  
☒ was filed on September 29, 2004 as PCT Application Number PCT/EP2004/052360 and amended on \_\_\_ (if applicable.)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119 (a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States listed below, and have also identified below any foreign application for patent or inventor's certificate or PCT international application having a filing date before that of the application on which priority is claimed:

Priority Claimed

<u>103 47 080.8</u> (Number)	<u>DE</u> (Country)	<u>10 October 2003</u> Filed (Day/Month/Year)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
			Yes	No
<u>                    </u> (Number)	<u>                    </u> (Country)	<u>                    </u> Filed (Day/Month/Year)	<input type="checkbox"/>	<input type="checkbox"/>
			Yes	No

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

<u>                    </u> (Application Serial No.)	<u>                    </u> (Filing Date)	<u>                    </u> (Application Serial No.)	<u>                    </u> (Filing Date)
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I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT application(s) in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

<u>                    </u> (Application Serial No.)	<u>                    </u> (Filing Date)	<u>                    </u> (Status - patented, pending, abandoned)
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**POWER OF ATTORNEY:** I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Joseph T. Guy, Reg. No. 35,172; John B. Hardaway, III, Reg. No. 26,554; William Y. Klett, III, Reg. No. 41,903; Michael A. Mann, Reg. No. 32,825; J. Herbert O'Toole, Reg. No. 31,404; Charles L. Schwab, Reg. No. 17,497; Townsend Belser, Jr., Reg. No. 22,956; and Sara A. Centioni, Reg. No. 50,543.

SEND ALL CORRESPONDENCE TO: John B. Hardaway, III, NEXSEN PRUET ADAMS KLEEMEIER LLC, P.O. Box 10107, Greenville, South Carolina, 29603 TELEPHONE NUMBER: (864) 370-2211

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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FULL NAME OF FIRST INVENTOR (given name, family name) Wilfried ERB

Complete Post Office Address Gedeckter Weg 20

City and Country of Residence 89231 Neu-Ulm, Germany

Citizenship DE

Inventor's Signature

W Erb

Date

2006/05/15

FULL NAME OF SECOND INVENTOR (given name, family name) Peter Übelmesser

Complete Post Office Address ~~Hans Sachs Strasse 20~~ ERLENWEG 9

City and Country of Residence ~~95444 Bayreuth, Germany~~ 95445

Citizenship DE

Inventor's Signature

Peter Übelmesser

Date

15/05/2006

A/O 58740

**ASSIGNMENT  
OF RIGHTS, TITLE AND INTEREST IN INVENTION**

**WHEREAS**, we, the below-named inventors whose addresses are as stated below, have invented certain new and useful improvements in a FLAT SEALING MATERIAL IN THE FORM OF A REINFORCED COMPOSITE FILM for which an application for United States Letters Patent will be filed, said application being the US National Entry application of PCT/EP2004/052360, filed 29 September 2004; and

**WHEREAS** FRENZELIT-WERKE GMBH & CO. KG whose complete address is Frankenhammer, 95460 Bad Berneck, Germany, hereinafter ASSIGNEE, is desirous of interest in the application and rights to invention in the United States of America and in any Letters Patent that may be granted therefor in the United States of America;

**NOW, THEREFORE**, for good and valuable consideration, the receipt of which is hereby acknowledged, we hereby assign to ASSIGNEE interest in the application and rights to invention in the United States of America, in all rights of priority thereto pursuant to the International Convention for the Protection of Industrial Property, and in any Letters Patent that may be granted on the invention, including any and all Letters Patent that are divisions, reissues, continuations, substitutions or extensions of any Letters Patent or applications therefor on the invention in the United States of America.

We hereby authorize and request the Commissioner of the United States Patent and Trademark Office to issue any and all of said Letters Patent to ASSIGNEE.

Further, we hereby agree to communicate to said ASSIGNEE or its representatives any facts known to us respecting said invention, to execute all necessary and lawful future documents, including divisional, continuation, substitution, renewal and reissue applications, to execute all necessary assignment papers, to make all rightful oaths, and generally to aid said ASSIGNEE and its representatives in obtaining and enforcing proper protection for said invention.

We further agree that the terms, covenants and conditions of this assignment shall inure to the benefit of ASSIGNEE, its successors and assigns, and shall be binding on us, our heirs and legal representatives.

Executed this 15 day of May, 2006.

WE  
Signature

Wilfried ERB  
Typed Name

Address: Gedeckter Weg 20,  
89231 Neu-Ulm  
Germany

On this 15 day of MAY, 2006, before me appeared  
WILFRIED ERB,


known to me personally to be the same person whose name is subscribed in the  
foregoing instrument, and acknowledged that s/he freely executed said instrument  
for the uses and purposes expressed therein.

C. Müller  
Witness Signature  
Claus Müller  
Witness Typed Name

Address:  
Hans-Hofner-Str. 10  
95028 Hof  
Germany

050186101

Executed this 15 day of May, 2006.

  
Signature


Peter ÜBELMESSER  
Typed Name

Address: ~~Hans-Sachs-Strasse 20,~~ ERLENWEG 9  
~~95444 Bayreuth~~ 95445 BAYREUTH  
Germany

On this 15 day of MAY, 2006, before me appeared

PETER ÜBELMESSER

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Witness Signature

Claus Müller  
Witness Typed Name

Address:

Hans-Hofner-Str. 10  
95028 Hof  
Germany